

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>CHARLES BRESLIN, et al.,</b>	:	<b>CIVIL ACTION</b>
<b>Plaintiffs</b>	:	
	:	
<b>vs.</b>	:	<b>NO. 12-0360</b>
	:	
<b>JOHN MORGENSTERN,</b>	:	
<b>Defendant</b>	:	

**ORDER**

**AND NOW**, this 22nd day of August, 2018, upon consideration of Defendant John Morgenstern's motion to dismiss (Document #30), the plaintiffs' response thereto (Document #68), and Mr. Morgenstern's reply brief (Document #75), IT IS HEREBY ORDERED that the motion is GRANTED in part and DENIED in part as follows:

1. The motion is GRANTED in that Defendant Morgenstern is DISMISSED from this action with prejudice.

2. The defendant's request for sanctions against the plaintiffs' attorney is DENIED.

3. Defendant Morgenstern's separate motion for sanctions (Document #82) is DENIED as moot.

4. The plaintiffs' motion for leave to file a supplemental response to Defendant Morgenstern's motion for sanctions (Document #132) is DENIED as moot.

**BY THE COURT:**

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/s/ Lawrence F. Stengel  
LAWRENCE F. STENGEL, J.